DOCUMENT RESUME

ED 255 450 SO 016 369

TITLE Law: The Language of Liberty. Supplemental Materials for Alabama Social Studies Teachers. Grade 11.
INSTITUTION Alabama Administrative Office of Courts, Montgomery.
PUB DATE Oct 81
NOTE 41p.; For related documents, see SO 016 360-370. Produced with assistance from the Alabama State Department of Education, the Alabama Education Association, and the Alabama Council for School Administration and Supervision.
PUB TYPE Guides - Classroom Use - Guides (For Teachers) (052)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Case Studies; Constitutional Law; Court Litigation; Grade 11; High Schools; Instructional Materials; Juvenile Courts; *Laws; Learning Activities; *Legal Education; *Social Studies; *United States History
IDENTIFIERS *Law Related Education

ABSTRACT

Student activities, teacher background information, and lesson ideas for teaching about law in social studies classrooms are presented. The first section provides students with a worksheet for determining the dates and historical significance of 15 great events (or documents) in U.S. history. A teacher resource list matches each event to pages in three popular textbooks (published respectively by Ginn, Harcourt, and Prentice-Hall). Next, teachers are presented with ideas for using landmark cases to teach about events in history, followed by tips for conducting mock trials. Activities center around five famous trials in U.S. history: "The Case of William Wemms, et al.," "People of Washington, D.C. versus Daniel Sickles," "People of Massachusetts versus Lizzie Borden," "People versus Harry Kendall Thaw," and the "Case of 'Shoeless' Jackson, et al." A case study is then provided to show students the treatment that juvenile delinquents received in the past. A section providing teachers with an idea for using collages to report case studies is followed by word games and a list of legal terminology. Each lesson includes teaching procedures and reproducible student handouts. (LH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☒ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

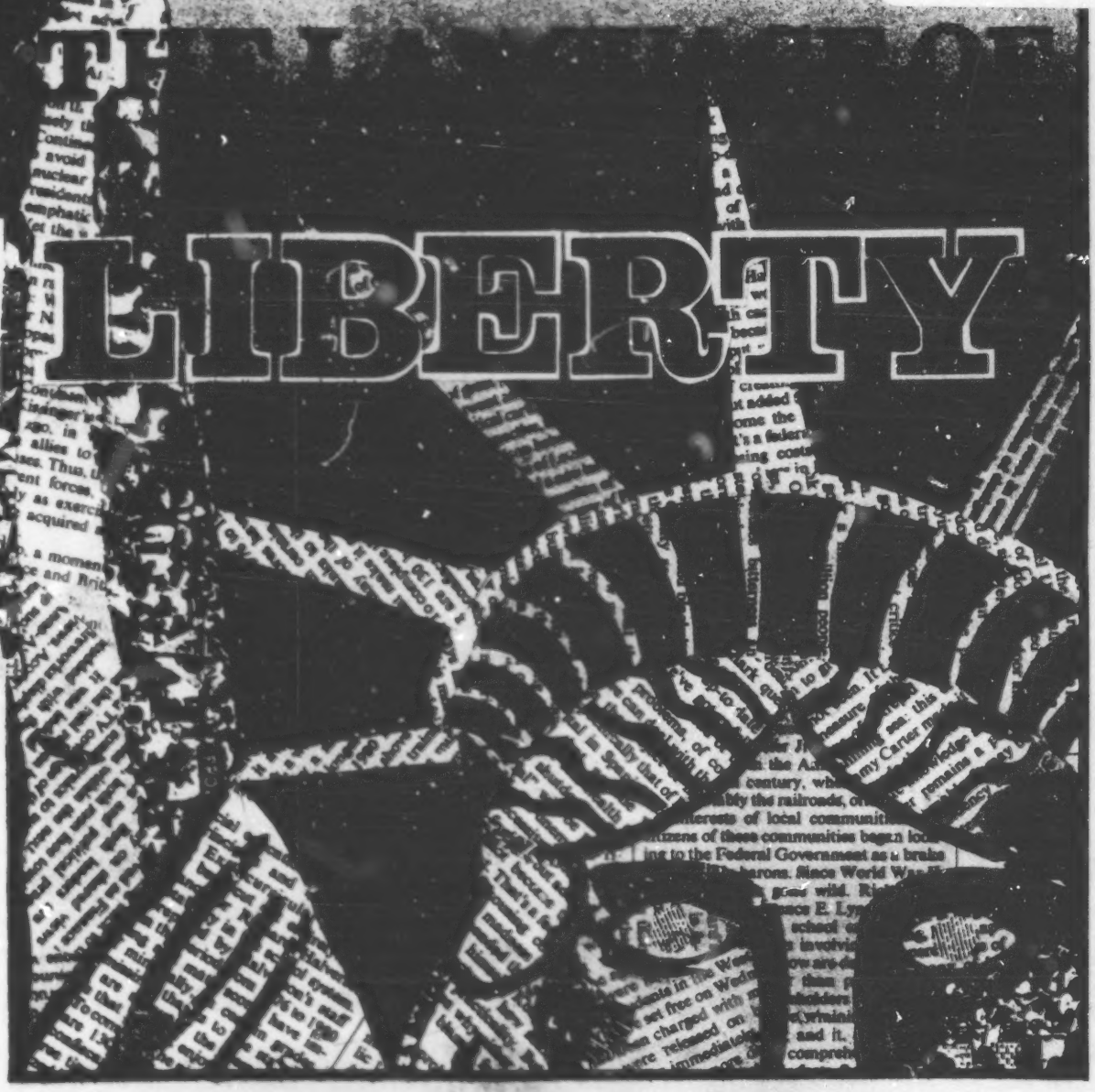
"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

William A. Campbell

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

ED255450

LAW



SP 016 369

Supplemental Materials for Alabama Social Studies Teachers

GRADE 11 2

LAW:
THE LANGUAGE OF LIBERTY

SUPPLEMENTAL MATERIALS FOR ALABAMA SOCIAL STUDIES TEACHERS

ADMINISTRATIVE OFFICE OF COURTS
817 South Court Street
Montgomery, Alabama 36130

C. C. Torbert, Jr.
Chief Justice
Alabama Supreme Court

Allen L. Tapley
Administrative Director of Courts
Administrative Office of Courts

Dr. Paul R. Hubbert
Executive Secretary
Alabama Education Association

Dr. Wayne Teague
State Superintendent of Education
State Department of Education

James A. Street
Executive Director
Alabama Council for School Administration and Supervision

PROJECT STAFF

Julie B. Young
Project Director
Administrative Office of Courts

Thelma Braswell
Director
Alabama Judicial College

Marie H. Hendrix
Project Coordinator
State Department of Education

Robert A. Martin
Director, Administrative Services
Administrative Office of Courts

Tyna D. Davis
Project Coordinator
Alabama Education Association

Dr. Aldoph B. Crew
Chairman, Program of Secondary Education
University of Alabama

Published by: Alabama Administrative Office of Courts
October, 1981

- - - - - - - - - - - - - - - - - -

Inquiries and comments concerning this Supplemental Materials Packet should be directed to:

Allen L. Tapley
Administrative Director of Courts
Administrative Office of Courts
817 South Court Street
Montgomery, Alabama 36130
Telephone: (205) 834-7990
Toll-Free (in-state): 1-800-392-8077

ACKNOWLEDGEMENTS

The project staff extends special appreciation to the teachers who contributed to the preparation of these supplemental materials: Lee Baldwin, Ozark; Ellen Burchfield, Huntsville; Hilda Cargile, Bessemer; Peggy Clay, Florence; Betty Colquitt, Dothan; Genie Deason, Mulga; Betty Dinwiddie, Huntsville; Linda Fleming, Phenix City; Rose Marie Floyd, Montgomery; Bertha Gadson, Gadsden; Martha Garrett, Decatur; Sheila Hocutt, Brookwood; Mary Elizabeth Johnson, Anniston; Alma Wyatt Jones, Tuscaloosa; Annie McClellan, Florence, Mary McConatha, Cullman: Mary Ann McCoy, Leighton; Jackie McDaniel, Crossville; Genette Meeks, Jasper; Ruby Nettles, Butler; Eddie Player, Childersburg; Rebecca Scott, Huntsville; James H. Smith, Florence; Mike Spain, Opelika; Bob Summerville, Selma; Bernie Swanson, Huntsville; Dr. W. A. Taylor, Jr., Chatom; Suzanne Thornton, Tuscaloosa; Dot Waller, Prattville.

Our gratitude is also expressed to the many members of the staff of the Administrative Office of Courts, particularly Tom Barber, Rebecca Bentley, Jim Berry, Donald Brook, Lynda Flynt, David Melton, and Peggy Walker, who contributed suggestions and ideas that are reflected in these final packets. Other contributors to whom we would like to express appreciation are Margaret T. Conger, Kathleen Andrews, and Deborah A. Hewes (cover design).

Several people were involved in typing the packets, and we would like to extend our thanks to: Suzie Mims for coordinating the typing effort, Amy Carter, Donna Curtis, Evelyn Moore, and Betsy Poole.

We also wish to thank the following organizations for allowing us to reprint materials which are incorporated in these packets: Constitutional Rights Foundation, Dallas Independent School District, National Center for Law-Focused Education, National Council for Social Studies, North Dakota Department of Public Instruction, and Sears Roebuck Foundation.

Finally, we are grateful to the staff of State Printing and Publications for the specialized work they did and to the Alabama Correctional Industries for the reproduction of these materials.

PREFACE

These Supplemental Materials Packets for Social Studies teachers are the culmination of a one-year cooperative effort involving the Administrative Office of Courts, the State Department of Education, the Alabama Education Association, and the Alabama Council for School Administration and Supervision.

The packets are being provided in an effort to furnish specific information to teachers and students about Alabama's laws and its system of justice. These materials and activities are not meant to substitute for the established curriculum in any way, but rather, they are intended to enhance it.

The packets may be taken apart so the suitable activities can be duplicated. In order to provide variety, as many ideas as possible have been included. Therefore, it is hoped that teachers will choose only those activities they feel will be appropriate for their students.

In order to help the project staff determine the usefulness of the program, an evaluation sheet has been provided at the end of each packet. Any comments or suggestions made on the evaluation sheet will be greatly appreciated.

Finally, these packets were designed to attain two goals, to provide assistance to teachers and help create a greater respect among young people for the law and its purposes.

TABLE OF CONTENTS

INTRODUCTION

GREAT EVENTS OR DOCUMENTS THROUGHOUT HISTORY 1

HISTORICAL LANDMARK CASES AND TRIALS 4

SOME FAMOUS TRIALS IN UNITED STATES HISTORY 6

TROUBLESOME YOUTHS OF ENGLAND SENT TO JAMESTOWN 19
(a case study)

USING COLLAGES TO REPORT A CASE STUDY 22

LEGAL TERMS - WORD GAMES 23

Vocabulary List 24

Word Find 27

Letter Mix-Up 31

INTRODUCTION

The Alabama Course of Study for Social Studies specifies that American History will be taught in the eleventh grade. In an attempt to make students in Alabama schools more aware of the importance of the historical aspects of the judicial system on both the state and federal levels, this packet of supplemental materials is offered to the classroom history teacher.

The information and suggested activities contained here are rather limited. This was done in an effort to provide only materials which would correspond to the established curriculum and to avoid infringing on subjects that are taught in other grades.

GREAT EVENTS OR DOCUMENTS THROUGHOUT HISTORY

TO THE TEACHER

Students cannot fully understand the importance of the Constitution of the United States without some understanding of the many documents which influenced the founding fathers. Tracing the development of major events, laws and documents and the changes each made toward a freer government makes the study of American History more meaningful.

PROCEDURE

The worksheet may be duplicated and given to the students, or it may be made into a transparency and used for general class discussion. The teacher reference listing which follows, has been provided for your convenience.

There are many documents which helped in the formation of our government and this list is by no means conclusive. It may be revised in any way so as to make its use and the terms more relevant to a school's curriculum and textbook.

When used as a worksheet, the students should be able to find the date and then list the significance of the event/document. Through the use of this study sheet students should become more informed and better prepared to discuss the importance of the documents and the role they played in American History.

NOTE

The "other amendments" section on the worksheet can be limited to the specific ones that you address in your course. However, this should be pointed out to your students.

GREAT EVENTS OR DOCUMENTS THROUGHOUT HISTORY

Directions: By each event or document, list the date or timeframe and the significance.

GREAT DOCUMENTS	DATE	SIGNIFICANCE IN AMERICAN HISTORY
1. Magna Carta	N/A	
2. Evolution of Parliament		
3. House of Burgesses		
4. Mayflower Compact		
5. Fundamental Orders of Connecticut		
6. Albany Plan of Union		
7. New England Town Meeting		
8. English Bill of Rights		
10. Declarations of the First Continental Congress		
10. Articles of Confederation		
11. U. S. Constitution		
12. Northwest Ordinance		
13. U. S. Bill of Rights		
14. Other Amendments to the U. S. Constitution		
15. Civil Rights Act.		

GREAT EVENTS OR DOCUMENTS THROUGHOUT HISTORY

Teacher Resource List

		A History of The United States	Rise of the American Nation (Heritage Ed.)	The United States, A History of the Republic
		Ginn	Harcourt	Prentice-Hall
		Pages	Pages	Pages
1.	Magna Carta	95	19	54
2.	Evolution of Parliament	58	19	102-106
3.	House of Burgesses	37,138	21-22,93	54,112,114
4.	Mayflower Compact	38	27	56
5.	Fundamental Orders of Connecticut	41	30,78-79	58-59
6.	Albany Plan of Union	62	44	94,168
7.	New England Town Meeting		81	67
8.	English Bill of Rights	95	35,91	
9.	Declarations of the First Continental Congress	76,131	98	112-115
10.	Articles of Confederation	96,98-101,106, 109	126,127,132, 138,139,145	145-146
11.	Northwest Ordinance	101-103,174,263	130-131,151, 184	148
12.	U. S. Constitution	104-111,152-153, 172-173,178,237, 280,301,309-310, 541,762-797	141-180	154-168,752-782
13.	U. S. Bill of Rights	110-111	42,148-149, 168-170	165-167
14.	Other Amendments to The U. S. Constitution	109,134,304,307-308,310,312,319, 398,427,432,473, 507,509-510,517, 528,531,589,612, 654,690,692,701, 707,709,721	168-180	186,332,349-350,481-483, 565,671,712, 770-782
15.	Civil Rights Acts	615,662,668,708	230	349,673,677, 679

HISTORICAL LANDMARK CASES AND TRIALS

TO THE TEACHER

Because law is necessary to the existence of a civilized nation, it is essential that students understand the development of law throughout the history of the United States. It is also important that they realize how trials and the results of those trials can change society.

The following list of landmark cases and trials can be used as a case study, mock trial, or both. You may want to study the cases/trials all at one time, or you may wish to discuss the individual cases as they appear throughout the course.

ALTERNATE PROCEDURES

1. Assign a case to a student or group of students. Have the student(s) research all the information relative to the case and then present the information to the class.

2. Duplicate the study sheet (which follows the list of trials) and after the cases have been discussed, have the students complete it. (Note: This study sheet idea may also be used in conjunction with the previous suggestion.)

3. Select a case and let the students conduct a mock trial.

CLASS DISCUSSION QUESTIONS

The following discussion questions can be used when discussing the trials:

1. What was the issue(s) involved in each case?

2. What was the decision?

3. What was the implication of the case upon our society?

TIPS ON MOCK TRIALS*

The following suggestions may help you in conducting mock trials:

1. A field trip to a courtroom before conducting a mock trial in the classroom can often be helpful in visualizing the process. In lieu of that, many films on the trial process are available.

2. Community resources can be most useful in mock trials. The resources -- judge, attorney, law student, paralegal, attorney's spouse -- can serve as an advisor in developing the trial, or can act as judge.

3. Students can explain their roles and what each person's job is before beginning the mock trial role.

4. Some mock trials successfully use outside persons as a jury. Parents, for example, could serve as the jury.

5. After doing the mock trial before their own class, students could re-do it, either for another class, for parents or others.

6. Mock trials can be video-taped for replay to other classes or groups.

*Be aware that as the eighth graders of 1980-81 become eleventh grade students, they may be familiar with mock trials due to the eighth grade social studies curriculum as well as the material contained in the eighth grade supplemental packet.

SOME FAMOUS TRIALS IN UNITED STATES HISTORY

TO THE TEACHER

The following list of cases may be interesting for your students to research and discuss. Most of the information concerning the cases can be readily found in any 11th grade history textbook.

Some information for the more "obscure" cases has been provided for your convenience. This follows the worksheet. The students should, however, be encouraged to "dig" for the facts about the cases.

PROCEDURE

Duplicate the following worksheet for your students' use. The worksheet can be completed all at one time, or the cases can be discussed as they appear throughout the course.

LIST OF CASES

1. Witchcraft; Salem, Massachusetts, 1690's.

*2. William Wemms, Thomas Preston, William McCauley, James Hartegan, Hugh White, Matthew Killroy, John Carroll, Hugh Montgomery, and William Warren; Boston, Massachusetts, 1770.

3. Aaron Burr; Richmond, Virginia, 1807.

4. Nat Turner; Jerusalem, Virginia, 1831.

*5. Daniel E. Sickles; Washington, D. C., 1859.

6. John Brown; Charlestown, Virginia, 1859.

7. Santee Sioux; Wounded Knee, Minnesota, 1862.

8. William M. Tweed; New York City, New York, 1873.

*9. Lizzie Borden; New Bedford, Massachusetts, 1893.

*10. Harry Kendall Thaw; New York City, New York, 1907.

*11. "Shoeless" Joe Jackson; Chicago, Illinois, 1920.

12. Nicola Sacco and Bartolomeo Vanzetti, Boston, Massachusetts, 1927.

*Teacher information provided

BEST COPY AVAILABLE

13. Julius and Ethel Rosenberg; New York City, New York, 1951.

14. Angela Davis; San Jose, California, 1972.

SOME FAMOUS TRIALS IN UNITED STATES HISTORY

Trial of:	Was the background and impact political or cultural in nature?	List at least two events that were characteristic of the time.
Witchcraft		
William Wemms, et al.		
Aaron Burr		
Nat Turner		
Daniel E. Sickles		
John Brown		
Santee Sioux		
William M. Tweed		
Lizzie Borden		
Harry Kendall Thaw		
"Shoeless" Joe Jackson		
Nicola Sacco and Bartolomeo Vanzetti		
Julius & Ethel Rosenberg		
Angela Davis		

TEACHER INFORMATION

Case of William Wemms, et al

This case is readily recognized as the trial of nine British soldiers that took part in the incident in Boston later to be called "The Boston Massacre." Information is convenient in most United States history textbooks. We simply offer a few details that are not frequently mentioned.

Many texts do not name the nine soldiers indicted nor do they note that the word laborer followed eight of the nine names. This was done to emphasize the fact they were being tried as ordinary citizens. Probably they had from time to time received laborer's wages for jobs performed for some of the colonists. Even though other colonists were killed, for some reason only Crispus Attucks' name appears in the indictment

John Adams accepted the role of counsel for the defense. This appeared totally incongruous with his political views. When critically asked why he took the case, he responded with what has become one of the basic premises of our legal system, "Even the worst offender, even the most unpopular cause, deserves a good lawyer."

Eight of the nine soldiers were exonerated. The one who was held partially responsible for the incident was redeemed for his involvement by a small brand burned on his thumb.

TEACHER INFORMATION

People of Washington, D. C., v. Daniel Sickles

Philip Barton Key was a handsome widower who held one of the top positions on Washington's social register. A district attorney in the District of Columbia, he had an enviable family pedigree -- most notably, being fortunate enough to be the son of the author of the "Star Spangled Banner."

It was common knowledge that Key constantly and sometimes indiscreetly sought the companionship of the young and darkly beautiful "toast of Washington," Teresa Sickles, the wife of the second-term congressman from New York, Tammany Hall figure, and confidant of President James Buchanan. Dan Sickles was also an aristocrat in his own right, had a millionaire father, and it was rumored that he had his eye on the presidency.

On February 27, 1859, the "wronged husband" shot and mortally wounded Key as he walked in Lafayette Square, just a block away from the White House. According to an eyewitness, Sickles shouted his accusation of Key's improprieties as he emptied his derringer into the victim's chest while Key begged his assailant, "Don't shoot." To be publically accused of infidelity and shot for it in an era when sex was not even spoken aloud in the privacy of of the home electrified Washington and began one of its most sensational trials. Newspaper had a "heyday." Not wanting to offend any of its readers, the Harper's Weekly devoted one page to the defense and one to the prosecution. Some publications even carried a transcript of the proceedings.

A spectator wishing to find space in the dingy courtroom would go early and would not dare leave for fear of losing the prized possession. The trial has been described as the legal circus of that decade. This, in part, was due to the impressive array of counsel. Sickles engaged two prominent New York attorneys, James Brady and John Graham. Brady was noted for his sharp wit and expert skill in examination of witnesses. Graham was considered matchless in swaying juries. Added to these was the courtroom master, Edwin McMasters Stanton. Witnesses cowered before his piercing and violent eyes. To give local strength to his case, Sickles also employed four top Washington attorneys. Another examples of Sickles' political power and influence became obvious because during the pretrial and trial, he was detained in the jailor's more comfortable quarters of the jail.

Against Sickles' legal bulwark, the District of Columbia sent only one man, Robert Ould, who had been Key's assistant. Friends of Key were so abashed at the glaring one-sidedness, they appealed to President Buchanan to appoint others to aid Ould. For some reason the Chief Executive refused to add counsel

for the prosecution. It was openly suggested that he did not want to weaken his confidant's chances of "beating the rap." As a last resort, supporters of the slain Key raised a fund to hire an additional lawyer.

During the 20-day trial, attention was more often focused on Key's and Mrs. Sickles' immorality rather than the charge of homicide against the husband. Newspaper reporters tenaciously investigated the character of all three persons. To offset some of the allegations against the slain man and his lover, one paper editorialized that Sickles had regularly made a farce of his marriage vows by visiting every "loose woman" in the vicinity and that "he had little right to complain when the mischief he carries without scruple into other families enters his own." Nevertheless, public sympathy remained in favor the the defendant.

When the case finally went to the jury, many predicted it would take less than five minutes to return a "Not Guilty" verdict. The defense had pressed every possible argument from temporary insanity to justifiable homicide. However, there was one juror, the foreman, who caused Sickles' attorneys grave concern. He was a known leader of the Know Nothing Party, and it was difficult to second guess his attitude. As the minutes ticked away, their concern became more intense.

When the jury did return with an acquittal, the courtroom went wild. Outside, a crowd tried to unhorse Sickles' carriage so they could pull him through the streets like a national hero.

For many years journalists referred to the case as the one that justified the "unwritten law."

EXTENDED ACTIVITY

After studying the case of Daniel Sickles, you can use the following questions to let your students respond in writing or through a class discussion.

1. Why did the friends of Key have to appeal to President Buchanan to appoint another attorney to assist Ould against the large number of lawyers of the defense?

2. Many have referred to this case as "one tried by newspapers." Explain their rationale for this statement. Do you agree?

3. What do you suppose would be the verdict of a jury today? Why?

4. Why were the counsel for the defense concerned about the attitude of the juror that belonged to the Know Nothing Party?

OTHER EXTENDED ACTIVITIES

1. Students may be interested in researching the career of Daniel Sickles after the trial.

2. Some aspects of this case may be compared with the Senate's recent censorship of one of its members, Senator Wilbur Mills.

TEACHER INFORMATION

People of Massachusetts v. Lizzie Borden

In late morning of August 4, 1892, the brutally mutilated bodies of Mr. and Mrs. Andrew Borden were found in their home in Falls River, Massachusetts. The death weapon was determined to be a hatchet or an axe. News that a prominent couple had been murdered in their own home in broad daylight soundly shook this quiet milltown and emptied every curious sightseeker and armchair detective onto the streets around this frame house on Second Street.

By evening the town's newspaper had taken over the case. It described in gory detail how Lizzie "discovered" her father's battered body on the sitting room couch and sent the maid for help. Later the maid and a neighbor found Mrs. Borden in the upstairs guestroom. The newspaper also boldly hinted at suspects. It was common gossip that neither Lizzie nor her sister Emma got along with their stepmother. Emma was out of town when the murders were committed so the focus of suspicion was directed toward the 31 year-old, sharp-tongued Lizzie.

Following the inquest, she was arrested and held without bail. All the evidence was circumstantial. This did not discourage, in the least, diseased and maniacal imaginations. The town was saturated with bizarre theories and rumors.

At the trial the prosecution had little or no hardfast evidence. Instead, it paraded the most plausible of the town's theories. The coroner reported that Mrs. Borden had died approximately an hour and a half to two hours before her husband. To further prejudice the jury, the prosecution painted Lizzie as a calloused killer that after hacking her stepmother to death, busied herself with mundane household chores until her father came home for a rest and lunch, waited for him to fall asleep, and then used the same axe on him.

The defense presented a dramatic and flawless case. It maintained that Lizzie was in the barn during the time of the attack on her father. It also produced the reports of the chemical tests that proved the family axe was not the murder weapon. The sensational moment, however, was when it brought forward a surprise witness, an ice cream vendor, that swore he saw a woman wearing a dress like the one Lizzie said she was wearing leaving the barn at the same time the defense claimed Lizzie left.

The jury deliberated less than two hours before returning a verdict of "Not Guilty." Was Lizzie Borden in truth guilty by actual performance of the heinous deed, or having it done,

or perhaps being an accomplice? Legally, the defendant was acquitted, but in the mind of the public she was forever condemned. A most damaging "conviction" was the unforgettable verse set to the tune of a popular ditty.

Lizzie Borden took an axe
And gave her mother forty whacks;
When she saw what she had done
She gave her father forty-one.

Not even in death (1927) was poor Lizzie truly laid to rest. Books and plays were written about her. Several movies and a television show contributed to the perpetuation of the question, and even the plot of a ballet centered on her life.

EXTENDED ACTIVITY

Discussion questions:

1. What was the responsibility of the local newspaper after the decision of the court -- should it have given as much publicity to "free" the name of Lizzie as it had to condemning her before the trial?

2. What was the responsibility of the citizenry following the acquittal? Since many believed she "got off" by a smart attorney, should they have continued as they did with their smear? Did Lizzie have slander and libel rights?

3. Did the continued persecution constitute a form of double jeopardy? Why?

TEACHER INFORMATION

People v. Harry Kendall Thaw

Principal People Involved:

Stanford White. A 52 year-old "man about town" and at the time America's most noted architect whose more impressive accomplishments included Madison Square Garden.

Harry Kendall Thaw. The 35 year-old heir to a Pittsburg industrial fortune. He gained the reputation of a wild, irresponsible playboy who was constantly in the news for his antics. The music for one of his parties was furnished by John Philip Sousa's entire band. He once drove an automobile through a display window and at another time tried to ride a horse into an exclusive social club that had refused him membership.

Evelyn Nesbit Thaw. Wife of Harry Thaw. She was a former show girl and has often been identified as one of America's most beautiful women. At the time of the trial she was 22 years old but looked not a day older than 16. Her alleged character, however, fell far short of being one of "first quality."

Circumstances of Case:

During a number of years Evelyn Nesbit, artist, model and show girl, oscillated her attention and affection between Thaw and White and eventually married Thaw. It was generally accepted that the playboy's behavior was more than just eccentric -- he was perhaps mentally unstable. Apparently, Evelyn confided to her husband her relationship with White and further told him of White's excessive cruelty to her.

On the evening of June 25, 1906, in the roof theatre of Madison Square Garden, during one of the musical numbers of the dinner play, Thaw left his table, calmly walked over to White, and shot and killed him.

Six months later perhaps the most flamboyant trial in the nation's history began. Newspapers reported that on the day Evelyn was called to testify, at least ten thousand people jammed the streets to get a glimpse of her. One writer acknowledged that she was indeed the most beautiful human being he had ever seen.

Outcome:

Three and a half months after the trial began, it ended with a hung jury. Less than a year later all the sordid details were paraded before the nation and another jury. This jury, however, could get a unanimous decision -- "Not guilty by reason of insanity."

Thaw was committed to an institution for the criminally insane and spent the next 15 years in this type asylum. Evelyn's life consisted of long years of continued ridicule, tragedies, and disappointments. In 1955, she was hired as the technical consultant for a popular motion picture, "The Girl in the Red Velvet Swing." It supposedly was the story of her life.

Near her death at 82 she reflected, "My fate was far worse than Stan White's. I lived."

EXTENDED ACTIVITY

Discussion questions:

1. For what reasons can you speculate why the second jury could reach a unanimous decision and the first one could not?

2. Today would a trial involving similar individuals and circumstances attract an equal amount of attention? Why?

3. Why did Evelyn evaluate her fate as being much worse than Stanford White's?

TEACHER INFORMATION

Case of "Shoeless" Joe Jackson, et al

Principal Persons Involved:

Charles A. Comiskey. Owner of the White Sox Baseball Team.

Kid Gleason. Manager of the team.

Eight Players. Most prominent of the eight was the left fielder, "Shoeless" Joe Jackson, a country boy from South Carolina who could neither read nor write. He was perhaps one of the most colorful and beloved players the game ever had.

An Undetermined Number of Gamblers. The identity of all the gamblers involved in the scandal was and is still uncertain.

Circumstances of Case:

The 1919 World Series was to be an easy win by the Chicago White Sox over the Cincinnati Reds. To the consternation of most people, the opening game of the series was an incredible case of errors. The news media blasted the White Sox with uncomplimentary adjectives. Owner Charles Comiskey and manager Kid Gleason suspected the game was fixed. Their suspicions grew with each additional loss. The errors and general bad playing appeared staged.

Outcome:

Comiskey secretly visited the state's attorney for Cook County. He disclosed his belief that the team was fixing the Series and, to keep the game clean, asked for an investigation. He would assume payment of all the expenses. Subsequent findings revealed the most daring conspiracy in the history of American sports.

One of the more emotionally touching idioms of our culture is credited to this case. When "Shoeless" Joe was leaving the building where the grand jury met and indicted the eight players for accepting bribes, the pitiful, pleading voice of a small boy cried out, "Say it ain't so, Joe!"

TROUBLESOME YOUTHS OF ENGLAND SENT TO JAMESTOWN

TO THE TEACHER

The following historical case has been provided to show students the treatment that "juvenile delinquents" have received in the past.

PROCEDURE

The case can either be duplicated for the students to read individually, or it can be read aloud to the class.

A set of questions follows. These can be duplicated to allow the students to answer them on an individual basis, or you may want to engage your students in a class discussion.

TROUBLESOME YOUTHS OF ENGLAND SENT TO JAMESTOWN

(a case study)

The first decade of Jamestown's history was a period of strict discipline and suspension of many of the personal protections enjoyed by other English citizens. This was due in part to the big job of clearing the land and establishing the colony. Another reason for the harsh control was directly tied to things happening in England.

Unemployment was increasing daily. As a result, the crime rate was also rising at an alarming rate. Parliament passed a series of laws that in a sense made it illegal to be employed. One of the laws stated that vagabonds and beggars who were not crippled, both men and women, were to be whipped and sent to the parish or shire where they were born or last employed. If neither of these places could be discovered, they were usually condemned to a house of correction. The judge could force them to leave the country; to return meant the gallows. People classified as vagabonds were fortune tellers, idle persons with sound bodies, peddlers, tinkers, and college students found begging without a permit from the college.

Quite often many condemned to houses of correction were handed over to the officers of the Virginia Company to be sent to Jamestown. Occasionally, someone convicted of a more serious crime might also be sent to the colony if that person was skilled in a needed trade.

There was one other class of unfortunates in England. Streets of English towns and cities, particularly London, were filled with homeless, youthful vagrants. In most cases their survival depended upon what they could steal. The government saw this horde of juveniles growing up to be an army of professional criminals. Because of their young ages they could not be dealt with under the vagabond and beggar laws. Someone suggested that they be sent to the colony in North America. The London authorities gathered up hundreds of these youngsters and turned them over to the Virginia Company for distribution in its colony in Jamestown.

The following is a copy of an entry in the Court Book of the Virginia Company. It deals with the "juvenile delinquents" sent to the new colony.

First to solicite the Iustices of Peace generally for sendinge to this Company all such younge youthes of 15 years of age and vpward as they shall finde burthensome to the Parish wher they live w^th^ the Sume of ffive pounds in monny towards a farr greater charge w^ch^ the Company must be att for their apparrell and transportacon into Virginia wher they shalbe entertayned in good manner as servant^s^ and apprentizes vnder the Companies Tenunt^s^.

1 to solicite y^r^ Iustices for sending of younge youthes.

To the Ri Honorable S^r^ William Cockaine kn^t^ Lord Maior of the Cittie of London and the Right Worp: y^e^ Aldermen his Brethren and y^e^ Wo^t^: the Common Counsell of y^e^ said Citty.

The Threr Counsell and Company of Virginia assembled in their great and generall Courte the 17^th^ of Nouember 1619 have taken into Consideracon the continuall great forwardnes of his honorable Cytty in advancinge the Plantacon of Virginia and pticularly in furnishinge outt one hundred Children this last yeare, w^ch^ by the goodnes of God ther saflly Arived, (save such as dyed in the waie) and are well pleased wee doubt not for their benefitt, ffor which yo^ur^ bountifull assistance, wee in the name of the wholl Plantacon doe yield vnto yo^u^ due and deserved thanks.

The Companies declaracon to y^e^ Lo: Maior and Courte of Aldermen.

And forasmuch as wee have now resolved to send this next Springe very large supplies for the strength and encreasinge of the Collony, styled by the name of the London Collony, And finde that the sendinge of those Children to be apprentises hath been very grateful of §to§ the people: Wee pray yo^r^ Lo^p^: and the rest in pursuite of yo^r^ former so pyous Accons to renew yo^r^ like favours and furnish vs againe w^th^ one hundreth more for the next springe; Our desire is that wee may have them of Twelue years olde & vpward w^th^ allowance of Three pound a peec for their Transportacon and fforty shillings a peec for their apparrell as was formerly graunted. They shall be Apprentizes the boyes till they come to 21 years of Age the Girles till the like Age or till they be marryed and afterwardes they shalbe placed as Tennant^s^ vppon the publique Land w^th^ best Condicons wher they shall have houses w^th^ Stocke of Corne & Cattle to begin w^th^, and afterward the moytie of all encrease & pfitt what soever. And soe wee leave this mocon to yo^r^ honorable and graue Consideracon.

BEST COPY

DISCUSSION QUESTIONS

1. What was Jamestown's attitude toward these young people being sent to them?

2. What is your evidence to support your answer?

3. Why do you suppose the Jamestown officials had this attitude?

4. What were the terms of the colony's request of the London officials of the Virginia Company?

5. What did the colony promise?

6. What is your evaluation of the treatment of these young homeless vagrants? Why?

7. How would this situation be resolved today?

USING COLLAGES TO REPORT A CASE STUDY

TO THE TEACHER

This strategy may be used to offer variety to the traditional approach of a case study.

Divide each case study committee into three groups: a fact group, an issue group, and the court's decision group. Each group will make a collage to reflect its assignment. The collage may contain pictures, cartoons, or an assortment of single words (perhaps two). Since the objective is to present a case, each committee's collage should display the facts, issue, and decision.

Some system of a class reward may be conferred upon the committee having the best collage.

LEGAL TERMS

WORD GAMES

TO THE TEACHER

The following list of vocabulary words has been taken from The Alabama Juror's Handbook. This list has been provided for your reference and/or your students' use.

The words may be assigned on a daily or weekly basis. However, as a means of making the vocabulary more fun, two activities, Word Find and Letter Mix-Up, have been provided.

WORD FIND

There are two versions of the Word Find activity (an easy one for slower students and a more difficult one for average and advanced students). Duplicate the one that is appropriate for your students. An answer key preceeds the two versions.

Note: You may need to tell the students who attempt to work the more difficult puzzle (the one without a list of words) that it contains terms with more than one word. Example -- charge to the jury.

LETTER MIX-UP

You may want to let slower students use their vocabulary lists when unscrambling the words of this game. A teacher answer key preceeds the student activity.

SPECIAL NOTE

Since the eighth grade Social Studies curriculum involves the teaching of law, the eleventh graders who were eighth graders in 1980-81 may possess a better "legal vocabulary." Therefore, when those students become eleventh graders, revision of this vocabulary list and coordinating activities may be necessary.

VOCABULARY LIST

LEGAL TERMS

allegation - a declaration by a party to an action made in a pleading which states what he expects to prove.

answer - the defendant's response to allegations in the case.

appeal - process by which a case is carried from a lower court to a higher one for review.

bailiff - a court official who maintains courtroom order and jury custody.

case - any proceeding, action, cause, suit, lawsuit, or controversy initiated through the court system by filing a complaint, petition, or indictment.

charge to the jury - a judge's instructions to the jury regarding the laws pertaining to the case.

circuit - a geographical court jurisdiction composed of one or more counties.

closing argument - a summary of the evidence presented to the jury by the attorneys.

complaint (civil) - statements by the plaintiff stating the claims against the defendant.

complaint (criminal) - a statement charging an individual with a criminal violation.

court - a place where justice is administered.

cross-examination - witness questioning by the opposing side.

defendant - the person against whom a civil lawsuit is started or a crime charged.

deliberations - jury discussions and consideration of the facts presented prior to reaching a decision.

deposition - testimony taken under oath and outside the courtroom.

direct examination - the witness' first questioning by the side introducing the witness.

due process - a constitutional provision guaranteeing an accused person a fair and impartial trial.

evidence - any legally presented proof by witnesses, records, documents, etc.

exhibit - paper, document, or other object received by the court and offered as evidence during a trial or hearing.

felony - a serious criminal offense punishable by imprisonment exceeding a year.

indictment - a grand jury's written accusation charging that a person or business allegedly committed a crime.

instruction - direction given by a judge to the jury regarding the law in a case.

judge - an elected or appointed official with authority to hear and decide cases in a court of law.

jury - people selected as prescribed by law to render a decision (verdict) in a trial.

law - rules and principles of conduct supported by the legislature, court decisions, or local customs.

litigant - a person or group engaged in a lawsuit.

litigation - a contest in court.

misdemeanor - a less serious criminal offense punishable by fine or imprisonment not exceeding one year.

oath - a written or oral pledge to keep a promise to speak the truth.

objection - a statement by an attorney opposing specific testimony or admission of evidence.

opening statement - outline of anticipated proof presented to the jury by the attorneys.

overrule - court's denial of a motion or objection raised to the court.

parties - persons, corporations, or associations who have brought a lawsuit or are defendants in a civil trial.

probable cause - a reasonable belief that a crime has or is being committed; the basis for all lawful searches and arrests.

prosecution - act of pursuing a lawsuit or criminal trial; the prosecution in a criminal suit is the state.

rebuttal - the introduction of refuting evidence to discredit statements of other witnesses.

redirect examination - follows cross-examination and is exercised by that party who first examined the witness.

striking a jury - process of selecting a trial jury where attorneys "strike" or excuse jurors until the number required remains.

sustain - court's acceptance of any motion or objection.

trial - examination of issues regarding fact and law before a court.

venire - the group of sworn jurors.

verdict - the final formal trial decision made by a jury, read before the court, and accepted by the judge.

voir dire examination - the preliminary questioning of jurors to establish their qualifications.

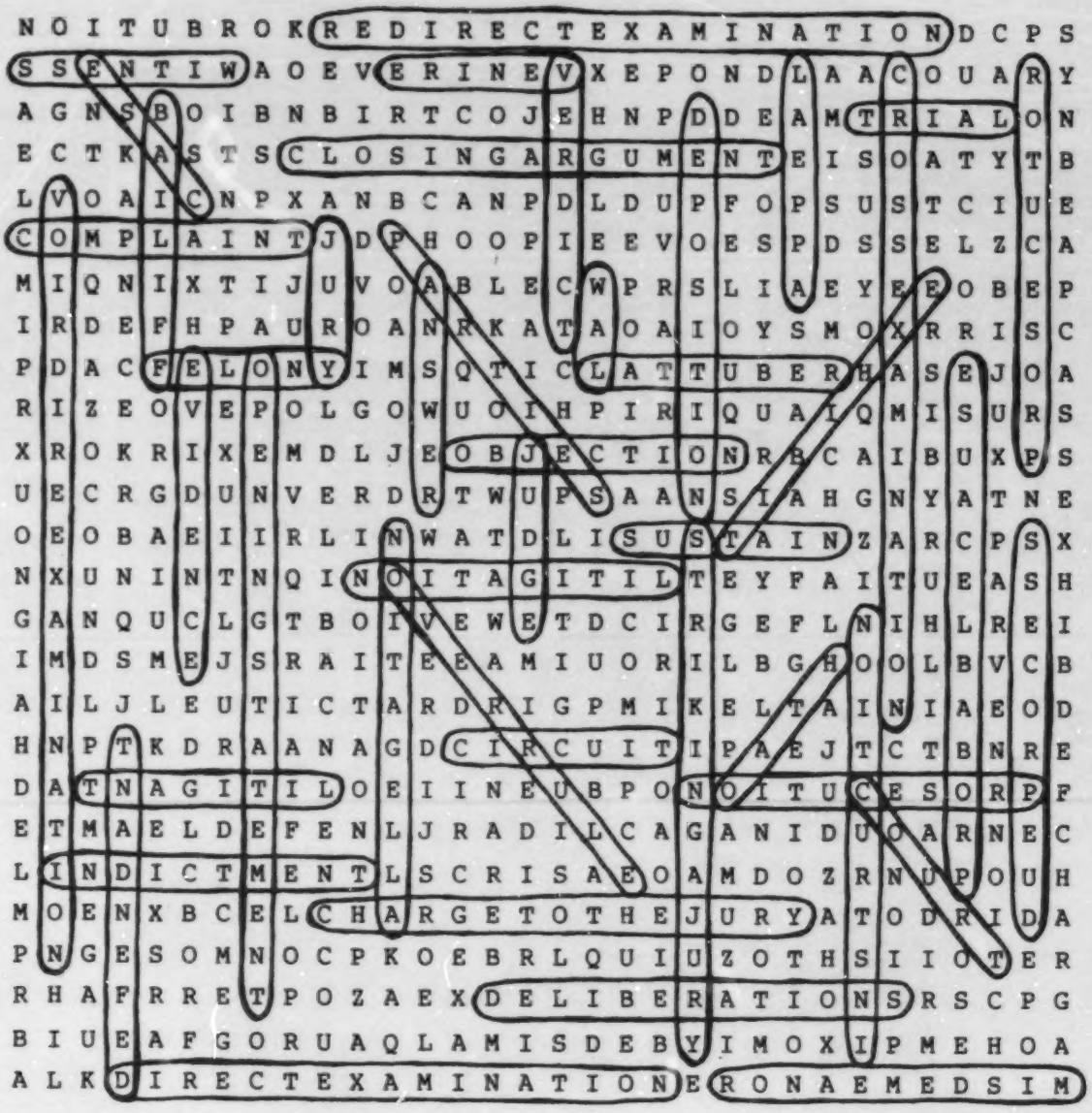
witness - a person subpoenaed to testify under oath, who possesses factual knowledge about the case.

BEST COPY AVAILABLE

WORD FIND

(Legal Terms)

ANSWER KEY



WORD FIND

(Legal Terms)

The legal terms on the following page appear in this puzzle. The words can be read in a forward or backward direction. There are 19 terms that are horizontal (-), 19 that are vertical (|), and 6 that are diagonal(/).

Directions: Draw a circle around each legal term.

N O I T U B R O K R E D I R E C T E X A M I N A T I O N D C P S
S S E N T I W A O E V E R I N E V X E P O N D L A A C O U A R Y
A G N S B O I B N B I R T C O J E H N P D D E A M T R I A L O N
E C T K A S T S C L O S I N G A R G U M E N T E I S O A T Y T B
L V O A I C N P X A N B C A N P D L D U P F O P S U S T C I U E
C O M P L A I N T J D P H O O P I E E V O E S P D S S E L Z C A
M I Q N I X T I J U V O A B L E C W P R S L I A E Y E E O B E P
I R D E F H P A U R O A N R K A T A O A I O Y S M O X R R I S C
P D A C F E L O N Y I M S Q T I C L A T T U B E R H A S E J O A
R I Z E O V E P O L G O W U O I H P I R I Q U A I Q M I S U R S
X R O K R I X E M D L J E O B J E C T I O N R B C A I B U X P S
U E C R G D U N V E R D R T W U P S A A N S I A H G N Y A T N E
O E O B A E I I R L I N W A T D L I S U S T A I N Z A R C P S X
N X U N I N T N Q I N O I T A G I T I L T E Y F A I T U E A S H
G A N Q U C L G T B O I V E W E T D C I R G E F L N I H L R E I
I M D S M E J S R A I T E E A M I U O R I L B G H O O L B V C B
A I L J L E U T I C T A R D R I G P M I K E L T A I N I A E O D
H N P T K D R A A N A G D C I R C U I T I P A E J T C T B N R E
D A T N A G I T I L O E I I N E U B P O N O I T U C E S O R P F
E T M A E L D E F E N L J R A D I L C A G A N I D U O A R N E C
L I N D I C T M E N T L S C R I S A E O A M D O Z R N U P O U H
M O E N X B C E L C H A R G E T O T H E J U R Y A T O D R I D A
P N G E S O M N O C P K O E B R L Q U I U Z O T H S I I O T E R
R H A F R R E T P O Z A E X D E L I B E R A T I O N S R S C P G
B I U E A F G O R U A Q L A M I S D E B Y I M O X I P M E H O A
A L K D I R E C T E X A M I N A T I O N E R O N A E M E D S I M

LEGAL TERMS

allegation
answer
appeal
bailiff
case
charge to the jury
circuit
closing argument
complaint
court
cross-examination
defendant
deliberations
deposition
direct examination
due process
evidence
exhibit
felony
indictment
instruction
judge
jury
law
litigant
litigation
misdemeanor
oath
objection
opening statement
overrule
parties
probable cause
prosecution
prosecutor
rebuttal
redirect examination
striking a jury
sustain
trial
venire
verdict
voir dire examination
witness

WORD FIND

(Legal Terms)

In the puzzle below there are 44 legal terms which have been taken from the Legal Terms vocabulary list. The words can be read in either a forward or backward direction. There are 19 terms that are horizontal, 19 that are vertical, and 6 that are diagonal.

Directions: Draw a circle around each legal term and list it.

N O I T U B R O K R E D I R E C T E X A M I N A T I O N D C P S
S S E N T I W A O E V E R I N E V X E P O N D L A A C O U A R Y
A G N S B O I B N B I R T C O J E H N P D D E A M T R I A L O N
E C T K A S T S C L O S I N G A R G U M E N T E I S O A T Y T B
L V O A I C N P X A N B C A N P D L D U P F O P S U S T C I U E
C O M P L A I N T J D P H O O P I E E V O E S P D S S E L Z C A
M I Q N I X T I J U V O A B L E C W P R S L I A E Y E E O B E P
I R D E F H P A U R O A N R K A T A O A I O Y S M O X R R I S C
P D A C F E L O N Y I M S Q T I C L A T T U B E R H A S E J O A
R I Z E O V E P O L G O W U O I H P I R I Q U A I Q M I S U R S
X R O K R I X E M D L J E O B J E C T I O N R B C A I B U X P S
U E C R G D U N V E R D R T W U P S A A N S I A H G N Y A T N E
O E O B A E I I R L I N W A T D L I S U S T A I N Z A R C P S X
N X U N I N T N Q I N O I T A G I T I L T E Y F A I T U E A S H
G A N Q U C L G T B O I V E W E T D C I R G E F L N I H L R E I
I M D S M E J S R A I T E E A M I U O R I L B G H O O L B V C B
A I L J L E U T I C T A R D R I G P M I K E L T A I N I A E O D
H N P T K D R A A N A G D C I R C U I T I P A E J T C T B N R E
D A T N A G I T I L O E I I N E U B P O N O I T U C E S O R P F
E T M A E L D E F E N L J R A D I L C A G A N I D U O A R N E C
L I N D I C T M E N T L S C R I S A E O A M D O Z R N U P O U H
M O E N X B C E L C H A R G E T O T H E J U R Y A T O D R I D A
P N G E S O M N O C P K O E B R L Q U I U Z O T H S I I O T E R
R H A F R R E T P O Z A E X D E L I B E R A T I O N S R S C P G
B I U E A F G O R U A Q L A M I S D E B Y I M O X I P M E H O A
A L K D I R E C T E X A M I N A T I O N E R O N A E M E D S I M

LETTER MIX-UP

ANSWER KEY

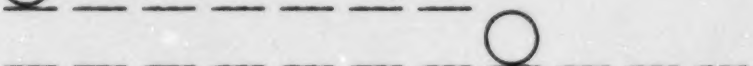
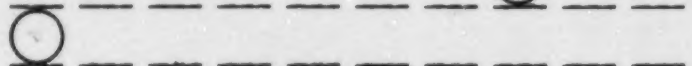
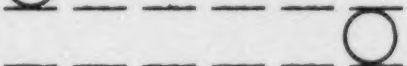
Alw	L (A) W
Dednnefta	D E F E N D (A) N T
Falifib	(B) A I L I F F
Seemamiornd	M I S D E M E (A) N O R
Lealgaotni	(A) L L E G A T I O N
Pelaap	A P P E A (L)
Topimlanc	C O (M) P L A I N T

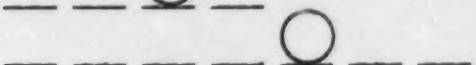
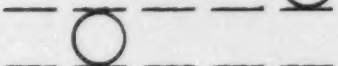
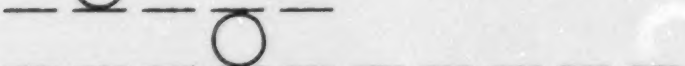
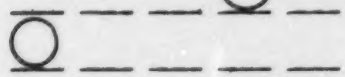
Esca	C A (S) E
Hoat	O A (T) H
Iicrcut	C I R C (U) I T
Larti	T (R) I A L
Nioedpstio	D E P (O) S I T I O N
Tocur	(C) O U R T

ANSWER: A L A B A M A C O U R T S

LETTER MIX-UP

Directions: Unscramble the letters and place them in correct order in the blanks to the right. Then unscramble the circled letters, and you can learn where crimes of violence are heard.

1. Alw
2. Dednnefta
3. Falifib
4. Seemamiornd 
5. Lealgaotni 
6. Pelaap 
7. Topimlanc

1. Esca
2. Hoat
3. Iicrcut 
4. Larti 
5. Nioedpstio 
6. Tocur 

ANSWER:

EVALUATION SHEET

Grade 11

To determine the usefulness of this Supplemental Materials Packet, the teacher is requested to answer and return this questionnaire. Your comments will be greatly appreciated.

1. What is your evaluation of this Packet?
   ( ) Excellent ( ) Above Average ( ) Average ( ) Poor

2. Does this Packet contain useful information?
   ( ) yes ( ) no

3. Does this Packet provide helpful suggestions and activities?
   ( ) yes ( ) no

4. Can the information and activities in this Packet easily be incorporated into your existing curriculum?
   ( ) yes ( ) no

5. How can this Packet be improved? (please specify, e.g. structure/organization, content/coverage, writing style, other). Use additional sheet.

6. If you have specific information/suggestions/activities that you feel would benefit other teachers, please attach to this evaluation sheet.

7. Please complete:

   Name: _____(optional)

   School: _____

   School Address: _____

   _____

   Telephone: ( ) _____

   Grades Taught: _____

   Years Taught: _____

8. Mail to:
   Administrative Office of Courts
   Attn: Julie Young
   817 South Court Street
   Montgomery, AL 36130